

UNITED STATES DISTRICT COURT
SOTHERN DISTRICT OF NEW YORK

_____)	
DOREEN BENSON,)	
)	
Plaintiff,)	04 Civ. 7323
)	
v.)	<u>RESPONSE TO MOTION</u>
)	<u>BY DEFENDANT TO COMPEL</u>
LEHMAN BROTHERS INC.,)	<u>ARBITRATION</u>
)	
Defendant.)	
_____)	

The defendant, Lehman Brothers, Inc. has moved before this Court, in a motion dated January 27, 2005, requesting that this Court compel arbitration in this case, along with certain other, related relief. For the reasons set forth in the attached memorandum of law plaintiff, Doreen Benson, respectfully requests that the Court enter an order: (1) denying defendant's motion to compel arbitration of plaintiff's claims or, in the alternative, ordering that the arbitration be conducted through a neutral and unbiased arbitral body such as the American Arbitration Association; (2) denying defendant's motion to dismiss this action pending arbitration; (3) granting discovery to plaintiff into the employee arbitration histories of the three designated arbitration organizations, (the New York Stock Exchange, the American Stock Exchange and the NASD); and (4) granting such other relief as the Court may deem just and proper.

Dated this 22nd day of February, 2005

LEWIS D. THOMPSON
ATTORNEY AT LAW

/S/

Lewis D. Thompson (LT0786)

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